UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

FILED

AUG 14 2013

MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS

In re: GROUPON MARKETING AND SALES PRACTICES LITIGATION,

ANTHONY FERREIRA; et al.,

Plaintiffs - Appellees,

V.

CHRIS BROWN; MAGGIE STROHLEIN,

Objectors - Appellants,

V.

GROUPON, INC.; et al.,

Defendants - Appellees.

No. 13-55120

D.C. No. 3:11-md-02238-DMS-RBB U.S. District Court for Southern California, San Diego

ORDER

A review of the file in this case reveals that counsel has failed to perfect the appeal as prescribed by the Federal Rules of Appellate Procedure.

Pursuant to Ninth Circuit Rule 42-1, this appeal is dismissed for failure to file the opening brief on appeal in this case. Counsel for appellants is directed to notify immediately his/her client in writing regarding this dismissal.

This order served on the district court shall constitute the mandate of this court.

FOR THE COURT: Molly C. Dwyer Clerk of Court

Estela Urrutia Deputy Clerk